(94)

HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, CJ.

Writ Petition No.2720 of 2006

PETITIONER		Ravi Mohan Goswami S/o Geeta Goswami, Aged about 28 years, Proprietor, Ravi Stone Crusher, Village Sonpurkala, P.S & Tahsil Ambikapur, Distt. Surguja (C.G) R/o. Sadar Road, Nagar Ambikapur, Tahsil Ambikapur, District Surguja (CG)
	Vs.	
RESPONDENTS	1.	State of Chhattisgarh, Through: Mining Officer, Ambikapur, Tahsil Ambikapur, Distt Surguja (C.G.)
	2.	Collector, (Mining Department), Ambikapur, Distt. Surguja (C.G.)
	3.	Gram Panchayat, Sonpurkala, Through: its Sarpanch, Village Sonpurkala, Ambikapur, Chhattisgarh, District Surguja (CG)

Present : Mr. Manoj Paranjape, learned counsel for the petitioners.
Mr. Vinay Harit, learned Dy. Adv. General, for the State of C.G.

ORAL ORDER
(Passed on 22nd June 2006)

The petitioner was a mining lessee for the period ending 9/7/2004. After the lease was expired and his application for renewal was rejected, he made an application to the Collector, Ambikapur, the second respondent herein, for permission to crush the boulders which he claims to have extracted when the mining lease was in currency under the provisions of the C.G. Land Revenue Code, 1959 (for short 'the Code'). The second respondent has rejected the application by the impugned order stating that there is no provision in the Code to grant such licence. The correctness of the said order is assailed in this writ petition.

(2) I heard learned counsel for the parties. Learned counsel appearing for the petitioner was not in a position to trace the power of the second respondent with reference to any of the provisions of the Code to grant permission sought by the petitioner to crush the boulders extracted by him. On that short ground, the writ petition is liable to be dismissed and it is accordingly dismissed. No costs.

Sd/-
Chief Justice

Brajesh